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CENTRAL FAX CENTER**AUG 06 2007**Attorney Docket No. 117.0002-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 8387
Terry Hildreth)	
Serial No.: 10/697,884)	Group Art Unit: 1725
Filed: October 29, 2003)	Examiner: Kuang Lin
For: METAL INJECTING APPARATUS)	

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION OF TERRY HILDRETH

I, Terry Hildreth, declare as follows:

1. This declaration is made in support of the Office Action Response and Request for Continuing Examination submitted concurrently herewith. I am the named inventor of the present application. The facts set forth in this declaration are based on my own first-hand knowledge.
2. My work experience, as owner of Hildreth Mfg., L.L.C., includes designing, manufacturing, and selling components used in the die casting industry.
3. To the best of my knowledge, the use of an adapter made of beryllium copper has never been previously used in the die casting industry.
4. Components used in the die casting industry are exposed to significant forces and pressures, and, because of such exposure, components used in the die casting industry are susceptible to failure.
5. In around January 2001, I worked with the listed inventors of U.S. Patent No. 6,311,761 to Steininger et al. ("the Steininger reference") in commercializing the "ball and socket" adapter disclosed therein.
6. The "ball and socket" adapter disclosed in the Steininger reference is configured with a swivel or pivot feature to allow the piston attached thereto to follow the

Application/Control No. 10/697,664
Declaration of Terry Hildreth

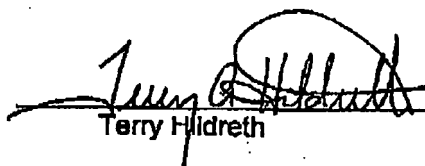
path of the shot sleeve.

7. The swivel and pivot feature, the "ball and socket" adapter was made of stainless steel to withstand the significant forces, pressures and corrosion associated with the die casting industry.
8. With the use of stainless steel, the swivel and pivot feature of the "ball and socket" adapter was subject to repeated failures.
9. To retain the swivel and pivot feature, the need to use harder materials, especially harder forged steels, for the swivel and pivot feature of the "ball and socket" adapter was discussed between the listed inventors of the Steininger reference and me.
10. Beryllium copper is significantly more expensive than forged steel, and was never mentioned as a workable alternative to forged steel.
11. The properties of beryllium copper foreclosed on its consideration for the "ball and socket" adapter of the Steininger reference.
12. Accordingly, the adapter made of beryllium copper as claimed in the present application is not obvious in light of the "ball and socket" adapter of the Steininger reference.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 1 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

August 3, 2007

Date


Terry Hildreth